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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6666
Joel C. Tyner; Joel for Congress and Joel)
C. Tyner in his official capacity as)
treasurer; Misha Fredericks)

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on July 09, 2013, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:

- a. Decline to Open a MUR as to Misha Fredericks and close the file as to her.
- b.
- c. Find reason to believe that Joel C. Tyner violated 2 U.S.C. § 432(e)(1) and 11 C.F.R. § 101.1(a).
- d. Find reason to believe that Joel for Congress and Joel C. Tyner in his official capacity as treasurer violated 2 U.S.C. §§ 432(h), 433(a) and 434(a) and (b).
- e. Dismiss the allegation that Joel for Congress and Joel C. Tyner in his official capacity as treasurer violated 2 U.S.C. § 433(c).
- f. Take no action at this time as to the allegation that Joel C. Tyner violated 2 U.S.C. § 439(a).
- g. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated March 19, 2013, with conforming edits as to the 2 U.S.C. § 439(a) allegation.

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- h. Enter into conciliation with Joel C. Tyner, Joel for Congress and Joel C. Tyner in his official capacity as treasurer prior to a finding of probable cause to believe.
- i.
- j. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Failed by a vote of 3-2 to:

- a. Dismiss the allegations pursuant to the Commission's prosecutorial discretion.

Commissioners Hunter, McGahn II, and Petersen voted affirmatively for the motion.

Commissioners Walther and Weintraub dissented.

3. Decided by a vote of 5-0 to:

- a. Close the file.
- b. Send the appropriate letters.

Commissioners Hunter, McGahn II, Petersen, Walther and Weintraub voted affirmatively for the decision.

Attest:

July 11, 2013
Date

Shelley E. Gann
Shelley E. Gann
Deputy Secretary of the Commission

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